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(selectmenLDrive) Minute Cover Sheet

BOARD OF SELECTMEN AND SEWER COMMISSIONERS' MEETING

**February 25, 2008
Acton Town Hall, Faulkner Hearing Room
7:00 P.M.**

Present: Dore' Hunter, Lauren Rosenzweig, Andrew Magee, Paulina Knibbe and Peter Berry were present, Town Manager Ledoux was present. Recording Secretary; Christine Joyce. The meeting was televised.

CITIZENS' CONCERNS

None

OPERATIONAL MINUTE

Steve said he was happy to be here and offered to speak with anyone who may have concerns.

PUBLIC HEARINGS & APPOINTMENTS

COMPREHENSIVE COMMUNITY PLAN, MEMBERSHIP INTRODUCTION

Lauren introduced Dauphine, the Municipal Planners Collaborate consultant. Lauren urged all those that received a questionnaire to help by returning them with their comments. Dauphine explained the plan of action that she will be taking in regard to implementing this plan. The survey should be on the web and also people will get calls at home. They will be conducting a visioning meeting on Saturday March 29 at 1:30 in the afternoon in order to allow people time to get done with their activities. This will be held at the Parker Damon School. The committee has been busy making sure this plan is reviewed by citizens.

SITE PLAN 2/19/03-388, 56-60 POWDER MILL ROAD

Steve said that they have no issue with 56 Powder Mill Road and the Board can issue the Class I License to expire January 1, 2009 for Acton Rent-A-Car.

The ramp was discussed with regard to giving a 60 day extension to work out the ramp situation. DORE' HUNTER – Moved to continue the grant of the license at 56 Powder Mill Road, and that we extend the license for 60 days at 60 Powder Mill Road hoping to have the Fire Dept. access ramp situation worked out. PETER BERRY – second. UNANIMOUS VOTE.

HAZARDOUS MITIGATION PLAN COORDINATION

The MAPC representatives outlined the plan they are working on. This plan is under a vision of the Federal Disaster Mitigation Act of 2000, planning with a pro-active approach. FEMA will be given the plans and we will be able to get funding. What actions are we currently taking to increase our protection from natural hazards? These are Regional in approach with our neighbors. They looked at the areas that could be affected such as our critical facilities that may require additional protection.

They wanted to find out what the town was already doing to mitigate hazards. In general mostly flooding and other nuisance issues such as under sized piping and beavers. What would be impacted down river at several dams in Acton?

The Town has ongoing plans for replacement of pipes and beaver trapping. The town has moved away from using sand and it helps prevent clogging of the catch basins. Fire related issues such as brush fires and earthquakes were addressed. They noted a lot of cross over's within the town of plans already on the books. We have several backup generators already.

Potential future mitigation measures were discussed. It is not required that they be done, and FEMA likes to see them on the books, and grants could be possible from FEMA.

We need to look at the flooding caused by beaver activities. We need to look at long-term mitigations such as flooding in Boxboro condos, expand the MIT Low-impact Pilot Project, and conduct an assessment of options for fire water service if we have an earthquake.

The Town has to forward our plan to the State and FEMA for it to be adopted, and we would notify in writing stating that the Town has adopted the Plan. In turn, plans submitted to the State Hazard Mitigation Officer (SHMO) for initial review and then SHMO will forward to FEMA Region I for final review and approval.

This plan needs to be resubmitted to FEMA every 5 years to remain be eligible for funds.

Lauren thanked staff for the time they spent with them to prepare these plans. Lauren asked about beaver mitigation and the trade off between the protection and the damage done by them; what are the regulations to do this without harming the animals. A permit needs to be obtained from the Board of Health and trappers are hired and there needs to be a balance. The State regulates this and the Board of Health issues the permits.

Andy asked if the grants were matching grants. They said State provides 75% and a 25% local funds match is required. Andy asked if there were any costs for the plan. It was noted that 75% by the State and locally through a planning grant for the 25% local match, which was covered by MAGIC Sub-Group.

Terra Friedrichs asked about what percentage of mitigation funds were available. There are only three grants under this program. FEMA Funds are used. There could be other plans out there but they have not addressed them here.

Carol Holley representing ACES asked about areas that are particularly prone to damage.

ROUTE 27/MAIN STREET @ HAYWARD ROAD TRAFFIC PRESENTATION

The consultant Kerry Pike of Howard Stein Hudson, went over the goals of the study and to answer questions. Safety was noted as the first concern; this concern was taken away from the October 10th meeting as important to the neighborhood.

Ms. Pike presented the recommended alternative which required widening to accommodate the traffic. The neighbors were concerned about the truck apron and any potential noise. The sidewalks should be moved back to establish a minimum 3ft grass strip next to the road way. The crosswalk on Main Street was a safety hazard and doesn't feel safe. This could be worked out in the plan to relocate the sidewalk. The cost will be around \$150,000.00. Dore' asked

about the little island which periodically has signs placed on it and it restricts drivers view. Dore' asked her opinion. The plan does not show it being removed, but what gets put on the island at that location impedes sight if you are not driving a SUV. Ms. Pike suggested we not allow anything on the islands. In the final plan they may be able to find a space for the signs. Ms. Pike spoke about other troublesome intersections that were not part of this report. She urged enforcement of existing traffic rules such as speeding and people not yielding to pedestrians in crosswalks.

Paulina spoke about pedestrian issues. She asked about the removal of the cross walks. Ms. Pike said it is currently there at the island location and would like to move closer to Main Street. Paulina also spoke about the easements and takings, and Ms. Pike said that all the property to provide the grass strips were town owned. Paulina asked about moving stone walls. They will be moving some. Paulina asked about funding from the State for roundabouts. Ms. Pike said it is 100% Federal funding; you need to have proof of air quality measures. Paulina asked about roundabouts and their calming aspects. Ms. Pike said that they are considered calming and if accidents do occur, they are less serious.

Lauren asked about the trucking apron. It will be an area that is flush but a different type of pavement segregated from sidewalk and green space.

Andy asked about the signs being placed on the island; he suggested that the signs are placed without permission. Andy is concerned that roads are in transition to what they are to what they have become. Andy spoke about the "Scooch" lane use. Andy said that according to the Highway Supt. three feet of grass is not wide enough to facilitate snow removal; they would like 6 feet. Ms. Pike said we could do 5 feet at additional cost. Andy suggested that moving the roadway two feet over within the right-of-way would allow for additional sidewalk separation on the other side of the street. Andy also suggested that the crosswalk across Hayward Road should be of a different and distinctive material as this will now be a four-lane crossing.

Residents thanked the Town and the consultant for their work, and urged the board to address the Brook Street intersection.

COMMUTER PARKING

Dore' updated the Board on the complaint's/comments received. Dore' noted that we need to see if we can get expansion to add 98 spaces. Conservation was asked to review this toward possible expansion. We have parking at the South Acton Fire Station which could be restricted to Acton residents with a sticker as well as the lot across from the Exchange Hall. We also offer a private space on Martin Street for a fee. Dore' noted the possible creation of a shuttle being investigated by Lauren and Franny Osman. We have been asked why not build a three-tier structure. Answer is because it was not well received and it is in the Historic District, and we don't have the money to build the structure.

Lauren added that she has been working on this since she came on board, and has had meetings with the community and commuters. We now have higher gas prices and the trains are offering free Wifi; the cost savings would entice commuters to use the train vs. autos.

Paulina spoke about the train and that we cannot solve the regional problem within Acton. She feels that if we expand even more out of town people will use it. She feels that we should restrict more spaces for Acton residents and hopefully there will be a regional solution. She feels we need to make more spaces available to Acton residents.

Dore' said he thinks we do need to keep some out of town parking. The Littleton solution looked good but it was environmentally unsafe due to the Heron's which are no longer there. Littleton has a commercial lot at that location.

Steve noted the conversation he had with IBM and partnering with Westford and Littleton to make rail use easier for their employees.

1. Ask the staff to take to Con Com to see if it can be expand that lot
2. Restrict the "out of town" parking and how far do we want to reduce non-resident spaces at the main lot.

Andy said that the parking at the fire station should be for residents only, and we have parking at Jones field, but it will cost them. Paulina proposed a reduced fee for \$25 for Acton residents at Jones's Field. Paulina moved to offer those spaces at Jones field for purchase

Lauren asked that we approach it in a tiered manner. Dore' said that we need to notify those parking behind the Fire Station that they can buy a space at Jones Field.

LAUREN ROSENZWEIG – Moved that with much advanced notice to the commuters that we restrict the parking area behind the South Acton Fire Station to resident parking with stickers and to notify the "out of town commuters" of the available spaces at Jones field. ANDREW MAGEE – second UNANIMOUS VOTE.

SELECTMEN'S BUSINESS

ALG/BUDGET DISCUSSION

Dore' reported on the ALG meeting. FinCom noted the economy and felt we needed to keep our reserves. They asked the Board to bond the Fire apparatus. The Board said they could do that out of NESWC this year but look what happens in 2010; we will have to reduce something else to cover that. They agreed to come back and reevaluate the debt next year. Dore' noted that we were to take \$700K out of free cash. The fincom said we should swap the NESWC monies. Dore' said we need to say what needs to be said and move forward. Lauren said we are in good shape in regards to our reserves. We have a good position now, but did not know how it will be later with the economy. She noted that NESWC is to be used for capital. The FinCom is comfortable with free cash not being used. Steve noted they are trying to preserve NESWC Balance.

Peter asked about Free Cash vs. NESWC Monies. Andy would like to see this in the package as relates to our Capital Improvements; are they still viable and are we going forward with them.

Pauline asked for explanation of the monies and their uses. She was concerned that we would not be using NESWC for capital items, after we told the citizens that we would be using NESWC funds for only capital. She further spoke about the 1/3 to 2/3 split and we not spend down in this economic climate. Dore' said he would take this board's issues back to the next ALG meeting.

Andy spoke about ALG and his frustration with the process. Lauren said that we went in for the shift, but they said you have all this money available to use. Dore' and Lauren asked if our

needs be met, can they happen. Lauren spoke about economic down turns and the FinCom was concerned with this situation. Lauren wanted to be sure we are as sustainable as possible. We need more room in our budgets for recurring items. Lauren noted that after town meeting a committee of financial folks be organized to address our financial situation going forward. The revenue projections can only go so far and we need the assumptions. We need to negotiate and she feels the school can give more as their needs have lessened. We can look at this but the Schools do not want to have it appear in their budget and would like it funded outside through bonding.

Dore' noted they will take back to ALG the consensus is we are not happy with all of the ALG items. We need to buy the things this year.

ALEXAN CONCORD PROJECT

Peter reported on the meeting with counsel and noted we need to have comments to ZBA. Peter asked if a 40B application to Acton was appropriate for this Concord project. They say it probably does fall under 40B as a regional plan, even if the driveway is just to get in it make it regional. Peter has problems with it being a private way.

Peter's recommendation was to ask why 40B and whether we think it is legally sustainable; why can't we have the same controls over the units? Why do they need to build so many units? What is their incentive to build 350 units?

Dore' asked what they were looking for. Roland said to allow multi family in the Powder Mill Road. The driveway is in Acton and it is opaque as what the status is of this road is, and it is probably private as it is part of the use of the multi-family.

Peter said ask a lot of questions at the ZBA meeting that needed to be asked. Dore' suggested we write ZBA with questions and why we should consider this at all. Dore' said that he spoke about this with Peggy Briggs and about the other plan in the pipe line and it would possibly stop this. Roland suspected the same. Lauren and Dore' met with Concord but did not address us getting any units.

Lauren said that we are the neighbors and we do want sidewalks, etc. to prevent impacts on our residents. Residents of West Side Drive want sidewalks for safety. We need to put together what we want in exchange.

Andy said that the developer doesn't have an issue with Acton getting some units. If we did get the 35 units, Concord will still be at their 10%. He feels that when we asked for 100 units in our letter to them they were put off and that they think we'll have a similar project on the W.R. Grace Property that will empty into Concord on Route 62. Concord does want this development and will not pull out for the 35 units. He feels we can get the roadway improvement and side walk and 35 units. Peter asked if it was worth fighting the road.

Dore' said we are taking a hard line but not too hard. Roland will draft the response, we want to review it like it was in Acton, and we have things we want.

COMPREHENSIVE COMMUNITY PLAN, GRANT APPLICATION FOR FUTURE OUTREACH

Roland explained the possible grant opportunity to include public planning alternatives. Roland said it is a great match to what we are doing now in Acton. This grant will give us tools to

enhance discussion. He hoped for the Board's approval. ANDREW MAGEE – Moved to issue the letter as written and call out the credit to Anne Sussman and Jim on the work they have done on this. LAUREN ROSENZWEIG – second. UNANIMOUS VOTE.

TOWNE SCHOOL BUILDING SITE APPROVAL

Staff will sit with Steve Jocus. We are asked for "a what do you think" letter from BOS. ANDREW MAGEE – Moved to issue letter of approval that takes into consideration staff comments as included in our packets. PETER BERRY – second. UNANIMOUS VOTE

WILLOW/CENTRAL STREET PROJECT, REGULATORY AGREEMENT

ANDREW MAGEE – Moved to sign the Regulatory Agreement. LAUREN ROSENZWEIG - second. UNANIMOUS VOTE

2009 TOWN MEETING WARRANT

Andy asked about the Police Deputy Chief position being removed from the Civil Service. Steve spoke about the assessment center model that actually puts the candidate through a variety of problem solving situations

ANDREW MAGEE – Moved to recommend Articles 3-16. LAUREN ROSENZWEIG – second. UNANIMOUS VOTE

ANDREW MAGEE – Moved to recommend Articles AA-AC LAUREN ROSENZWEIG second. UNANIMOUS VOTE

ANDREW MAGEE – Moved to Defer AC1. LAUREN ROSENZWEIG – second. UNANIMOUS VOTE

ANDREW MAGEE – Moved to recommend AD – LAUREN ROSENZWEIG – second UNANIMOUS VOTE

PAULINA KNIBBE – Moved to recommend AE – ANDREW MAGEE – second. UNANIMOUS VOTE

ANDREW MAGEE – Moved to Recommend AF – LAUREN ROSENZWEIG- second. UNANIMOUS VOTE

ANDREW MAGEE – Moved to Recommended AG, (title and \$ change) LAUREN ROSENZWEIG – second. UNANIMOUS VOTE

ANDREW MAGEE – Moved to recommend AH – BC, LAUREN ROSENZWEIG – second UNANIMOUS VOTE

ANDREW MAGEE – Moved to Recommend DB, LAUREN ROSENZWEIG – second. Paulina Knibbe wants it Deferred

ANDREW MAGEE – Moved to Defer BF – LAUREN ROSENZWEIG – second. UNANIMOUS VOTE

ANDREW MAGEE – Moved to Recommend CA-DJ. LAUREN ROSENZWEIG – second.
UNANIMOUS VOTE

UPDATE ON ZONING ARTICLES BASED ON THE PLANNING BOARD'S PUBLIC HEARING

No materials

HEALTH INSURANCE TRUST UPDATE

Peter updated the Board about the increased cost in Blue Cross which will have a 3% surcharge, and we will come in under budget.

SENIOR CITIZENS EXPANSION

Paulina gave an overview of the Committee and we have included the funds.

EAGLE SCOUT COURT OF HONOR, DOUGLAS RANDOLPH

Peter will be attending

OTHER BUSINESS

WRAC meeting postponed to March 12 at 7:00 – Room to be determined and placed on the Web Site

Lauren reported on her meeting with the Chinese Language School

TOWN MANAGER'S REPORT


CONSENT AGENDA

LAUREN ROSENZWEIG - Moved to approve with the exception of #34 Faulkner Hill, 4 High Street, and to add to consent, the appointment of John J. teDuits as a Cemetery Commissioner.
PAULINA KNIBBE – second. UNANIMOUS VOTE

EXECUTIVE SESSION

NONE


Christine Joyce, Recording Secty


Clerk, Board of Selectmen
Date 31 March 08

BOARD OF SELECTMEN & SEWER COMMISSIONERS'
MEETING AGENDA

Francis Faulkner Meeting Room

Town Hall

February 25

7:00 PM

I. CITIZENS' CONCERNS

II. PUBLIC HEARINGS AND APPOINTMENTS

1. 7:02 OPERATIONAL MINUTE

The Town Manager will provide a brief report on topics of interest.

2. 7:03 COMPREHENSIVE COMMUNITY PLAN, MEMBERSHIP INTRODUCTION

Enclosed please find materials in the subject regard, for Board consideration

3. 7:10 SITE PLAN #2/19/03-388, 56-60 POWDER MILL ROAD, AUTOPLEX REALTY, LLC (CONTINUATION FROM JANUARY 28, 2008)

Enclosed please find materials in the subject regard, for Board consideration.

4. 7:25 HAZARDOUS MITIGATION PLAN COORDINATION

Enclosed please find materials in the subject regard, for Board consideration

5. 8:00 ROUTE 27/MAIN STREET AND HAYWARD ROAD TRAFFIC PRESENTATION

Enclosed please find materials in the subject regard, for Board consideration.

6. 8:45 COMMUTER PARKING DISCUSSION

Enclosed please find materials in the subject regard, for Board consideration.

III. SELECTMEN'S BUSINESS

7. ALG/BUDGET DISCUSSION

No materials enclosed

8. ALEXAN CONCORD PROJECT

Enclosed please find materials in the subject regard, for Board consideration.

9. COMPREHENSIVE COMMUNITY PLAN, GRANT APPLICATION FOR FUTURE OUTREACH

Enclosed please find materials in the subject regard, for Board consideration.

10. TOWNE SCHOOL BUILDING SITE APPROVAL

Enclosed please find materials in the subject regard, for Board consideration.

11. WILLOW/CENTRAL STREET PROJECT, REGULATORY AGREEMENT

Enclosed please find materials in the subject regard, for Board consideration.

12. 2009 TOWN MEETING WARRANT

Enclosed please find materials in the subject regard, for Board consideration.

13. UPDATE ON ZONING ARTICLES BASED ON THE PLANNING BOARD'S PUBLIC HEARING

No materials enclosed

14. HEALTH INSURANCE TRUST UPDATE

No materials enclosed

15. SENIOR CENTER EXPANSION ADVISORY COMMITTEE UPDATE

No materials enclosed

16. EAGLE SCOUT COURT OF HONOR, DOUGLAS RANDOLPH, APRIL 2, 2008

Enclosed please find materials in the subject regard, for Board assignment.

17. OTHER BUSINESS

IV. TOWN MANAGER'S REPORT

V. CONSENT AGENDA

18. ACCEPT MINUTES, BOARD OF SELECTMEN

Enclosed please find Minutes of December 5, 2007, January 7, 2008 (Regular and Executive Session), January 19, 2008, January 25, 2008, January 26, 2008, January 28, 2008, February 4, 2008, for Board consideration

19. REQUEST FOR COMMUNITY PRESERVATION FUNDS, ACTON COMMUNITY HOUSING CORPORATION

Enclosed please find materials in the subject regard, for Board consideration

20. COMMUNITY PRESERVATION COMMITTEE COALITION DUES

Enclosed please find materials in the subject regard, for Board consideration

**21. AMERICAN CANCER SOCIETY'S RELAY FOR LIFE, REQUEST TO
WAIVE FEES AT NARA PARK**

Enclosed please find materials in the subject regard, for Board consideration.

22. ACTON FAMILY NETWORK SPRING TAG SALE

Enclosed please find materials in the subject regard, for Board consideration

**23. COMMITTEE APPOINTMENT, RESHMA G. SINGH, ACTON BOXBORO
CULTURAL COUNCIL, TO FILL THE UNEXPIRED TERM OF ELAINE
SISLER, TO 6/30/09**

Enclosed please find materials in the subject regard, for Board consideration

**24. COMMITTEE APPOINTMENT, SUMAN ADISEHU, ACTON BOXBORO
CULTURAL COUNCIL (ABCC), TO FILL THE UNEXPIRED TERM OF
RIXIN LI, TO 6/30/09**

No materials enclosed

**25. COMMITTEE APPOINTMENT, BARBARA ESTABROOK, ACTON
BOXBORO CULTURAL COUNCIL, TO 6/30/11**

Enclosed please find materials in the subject regard, for Board consideration

**26. COMMITTEE APPOINTMENT, LAWRENCE POWERS, (REPRESENTING
BUSINESS COMMUNITY/ACTON RESIDENT) COMPREHENSIVE
COMMUNITY PLAN**

No materials enclosed

**27. COMMITTEE APPOINTMENT, ROBERT WHITTLESLEY (REPRESENTING THE ACTON
HOUSING AUTHORITY) COMPREHENSIVE COMMUNITY PLAN**

No materials enclosed

**28. COMMITTEE APPOINTMENT, JOSEPH IANELLI (REPRESENTING THE BOARD OF
HEALTH, COMPREHENSIVE COMMUNITY PLAN**

No materials enclosed

**29. COMMITTEE APPOINTMENT, MICHAEL KREUZE, (ACTON RESIDENT),
COMPREHENSIVE COMMUNITY PLAN**

No materials enclosed

**30. COMPREHENSIVE COMMUNITY PLAN MEMBER, SPECIAL MUNICIPAL
EMPLOYEE DESIGNATION**

Enclosed please find materials in the subject regard, for Board consideration.

**31. ONE DAY LIQUOR LICENSE, SAINT ELIZABETH'S FUND RAISER FOR
THE YOUTH MINISTRY**

Enclosed please find materials in the subject regard, for Board consideration.

BOARD OF SELECTMEN & SEWER COMMISSIONERS'

SPECIAL MEETING MINUTES

Faulkner Hearing Room

March 8, 2008 - 10:00 A.M.

Present: Chairman Hunter, Selectmen Rosenzweig, Magee, Knibbe, Berry and Town Manager Steve Ledoux
Recording Secretary, not present by tape, Maryjane Kenney

I. CITIZENS' CONCERNS

None

II. PUBLIC HEARINGS AND APPOINTMENTS

No Appointments

III. SELECTMEN'S BUSINESS

ALG DISCUSSION

The Town Manager addressed a change in the newest spreadsheet from the Board that affected the overall 5 year plan. In the total free cash figure there was a formula error. It changes total reserves and assumptions that the Board had made in regards to the Budget. The question is if there was an ALG agreement, is that now still acceptable. Selectwoman Knibbe wants to discuss the old ALG that was previously rejected. The Chairman and Selectwoman Rosenzweig had agreed to look at both the Ashton Plan and the ALG plan with staff. The guidance from staff was to look at both plans and then advise staff of the Board's decision. Selectman Berry noted the Board has not seen the Aston Plan at all but it appears like there are some major reductions. Selectwoman Knibbe has a different approach she would like to review with the Board members as she is not aware of the other plans. The ALG plan she feels is bad for the Town, pulling down all the NESWC reserve money. The Ashton plan has reductions but given the financial situation it is a plan that leaves good choices in the future. The Chairman tends to agree with Selectwoman Knibbe given the financial outlook, but now, where to cut. The questions remain about parity in cuts with the schools. Proportionately it still looks like the town needs to take more cuts than the school. Selectman Knibbe felt that the decision leaves the town more money in the future as it retains more money in the NESWC fund and addresses needs and revenues at this point. Selectwoman Knibbe passed out a straw man budget that she felt addressed the needs and revenue available. She made some personal assumptions for cuts and felt with reductions the major requests would be doable following the Ashton budget. Because the economy is not good we should be making these cuts and if all goes well the money is still in NESWC for use next year. Selectman Rosenzweig feels strongly that using NESWC for capital expenses should be done. To change 3 weeks before Town Meeting will mean a change for School Committee and it is just too late to start adjusting budget proposals. We can look to make cuts to save the tax payers money and make reductions, but it is too late to be changing whole budgets. The Chairman stated that one cut can be the sidewalk snow blower as that will be funded out of this year's money. Selectman Berry would like confirmation on what the reserves will be for either of the plans. The Chairman will get the numbers but is the agreement we reduce and keep more money for reserves or stick to the current spending plan. Selectman Knibbe said yes, reduce and keep reserves for other years. Selectman Rosenzweig says reduce but with reservations not to reduce drastically. Selectman Berry says the maintenance is necessary and will only cost more money later, use the resources we have now to meet those needs. Selectman Magee said the capital items should be purchased while the money is there. Next year if the economy continues

to be bad the money will be spent down on operational expenses with no advantage to the capital needs of the town. The money will be gone one way or another. He also would like to go with budget cuts but not do away with the entire plan. He is very reluctant to take anything forward into bonding.

Peter Ashton presented hand outs to speak to his objections to the current Selectmen's Plan, stating it (with the error) would not be sustainable. Mr. Ashton then passed out a spread sheet with the errors fixed and 5% increase as opposed to 6% increase going forward. Even at 5% he believes the plan to be optimistic if at all doable. Selectman Magee looked at the plans and stated they are comparing apples to oranges. They are not comparing common factors. Mr. Ashton handed out a compromise budget which makes slight adjustments to budget assumptions and carries out the reserves to use until 2011. He announced again that there are economic troubles ahead. It also adjusts the ALG revenue sharing split assumption with the schools which the town had wanted to gain.

The Chairman thanked Mr. Ashton for his hard work and is leaning towards agreeing somewhat with his plan. It was stated that the Board should revisit how ALG is handled. Being as there is an error in the new Board spreadsheet we will go back to Mr. Ashton's old compromise plan which is in front of us.

Jonathan Chinitz spoke to the Ashton proposal. What the proposal offers is the word "together" in terms of operations. Both the schools and the town need to give up and make compromises. This is guidance from the Finance Committee and it is prudent. It requires leadership. It is a compromise going forward not just for one year.

Selectman Magee resumed his questioning of the Ashton plan asking if in fact the School Committee and Finance Committee had already adopted the plan. Otherwise it is a mute point for the Selectman to blindly back yet another plan. The Town still has major needs. Mr. Chinitz replied the Schools have formulated a response to the plan. They did not take a vote; they are waiting for the Selectmen's agreement. They will not be happy as they do not want to cut staff. Pat Clifford of the Finance Committee responded that compromise hurts and the Selectmen need to step up, it is time. Selectman Rosenzweig asked Pat Clifford, did the ALG approve a specific plan? She responded if ALG approved the plan it would be implicit that a change in split and reductions would take place. Discipline is what we voted. Selectman Rosenzweig again stated, you are talking about approving reductions and discipline not the Ashton plan if the plan is adopted by ALG. The Selectmen questioned what the number to cut from the budget is. That number is not known until a plan becomes adopted. Selectman Knibbe is comfortable with the Ashton plan at least for this year. But not sure she wants to agree for the following years with the same assumptions. Jonathan Chinitz stated all revenues are to be shared together. The Chairman agrees we need to look at this process more holistically.

The Town Manager stated there are a couple opportunities to take advantage of; one would be to amend the revolving account of the ambulance fund to allow it to pay for some personnel. Second, we need to revisit prior articles and see what monies actually exist to be used. We are here to implement the Board's policies and decisions.

Selectman Knibbe would like to go through the warrant and make changes in the recommendations of what we know. The Chairman stated that would take some time to get appropriate figures and it would be just as well to mark all as deferred. Selectman Magee made a motion to mark all capital items to deferred, Selectwoman Knibbe seconds. All were in favor of motion as stated and it carried.

The Chairman stated that there is a need for another meeting and since Finance Committee is meeting Tuesday night to vote on the Selectmen's budget he will do his best to get staff to give them the likely recommendations.

Selectman Rosenzweig is very concerned about the cuts the town is agreeing to. Jonathan Chinitz needs to know what is going to be approved. He will make it happen with your help. Selectman Magee made a motion to reconfigure spending plan to fit this outcome. Selectwoman Rosenzweig, how can any of us make a decision not knowing a number for cutting expenditures? The Town Manager stated about \$1.1M. Selectwoman Rosenzweig stated that she was reluctant to make a decision. Nancy Tavernier stated that it is the economy, our only source of revenue being excise and property tax our revenue sources are soft. It is not about schools or town or taxpayers. Selectman Berry cannot vote with out knowing our numbers and the impact on our budgets. Selectman Knibbe did do a straw man budget and it helped and she can live with cuts. Selectman Berry asked if we are voting on free cash. Selectman Knibbe feels NESWC is different than free cash and how it is spent is different. Selectman Magee is not sure that he knows the answer to where NESWC monies stand here. Selectman Rosenzweig asked the exact number that the schools were cut and Jonathan answered that it would be about \$400,000. The Chairman then took a vote all in favor of adopting the Ashton plan say aye. All voted in favor. The Chairman wanted a recommendation on the warrant article exempting the Deputy Chief from the civil service exam. Selectman Magee would make a motion not to recommend that article. That would give the Town Manager time to institute a new alternative qualifying method. There was no second. The motion fails. Selectmen Knibbe moved to continue to recommend on that article. Selectman Berry seconds, three in favor Selectman Magee opposed, it passes. The Board will meet again to discuss budgets on Thursday morning March 13th at 7:30a.m. The Board also decided to defer their recommendations on all capital articles until that meeting.

WARRANT ARTICLE CHANGE, REVOLVING FUND, FIRE DEPARTMENT

The Chairman turned to the revolving ambulance fund and the Town Manager gave some background information on changing the revolving funds wording to include some personnel. It would need to be re-voted every year. Selectwoman Knibbe wanted to know the possibility of amending the wording to help pay for other emergency vehicles, such as a pumper truck. The Town Manager replied it could be looked into. Selectman Magee made a motion to look into amending the wording for the revolving account and Selectwoman Rosenzweig seconded, all voted in favor.

OTHER BUSINESS

Selectman Magee discussed with the Board the counsel's opinion of the ruling for the CPA passed on through the planning committee. His recommendation is that we not put in any language referring to changes that might be made whether pending court cases or legislation. The language will not be included in the warrant.

Selectman Rosenzweig asked if there were any objections to notification about the survey going out in the warrant and the Chair replied that it was fine as long as it did not hold things up. Selectman Knibbe wanted to hand out a survey at Town Meeting about the Senior Center. The Chair replied that it was up to the Town Clerk as to if she wanted to have someone sit out side of the meeting and hand out such information.

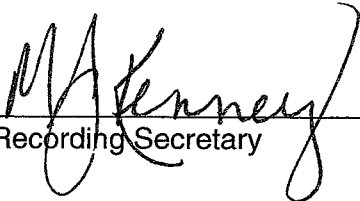
IV. CONSENT AGENDA


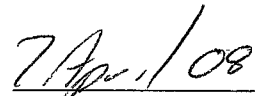
No Materials Enclosed

V. TOWN MANAGER'S REPORT

VI. EXECUTIVE SESSION

None required


Recording Secretary


Andrew D. Magee, Clerk

Date

BOARD OF SELECTMEN & SEWER COMMISSIONERS'

MEETING MINUTES

Francis Faulkner Meeting Room

Town Hall

March 17, 2008 7:00 PM

Present: Chairman Hunter, Selectmen Rosenzweig, Magee, Berry and Knibbe, Town Manager Steve Ledoux and Recording Secretary Maryjane Kenney

I. CITIZENS' CONCERNS

None

II. PUBLIC HEARINGS AND APPOINTMENTS

OPERATIONAL MINUTE

The Town Manager announced that starting April 1st commuter parking behind the fire station will be resident only parking. The other important item is the warrant is posted in municipal buildings and is up on the web and has been sent out to the citizens.

ORDER OF STREET LAYOUT AND RELOCATION, MAIN STREET ALONG CONANT PROPERTY

Corey York from the Engineering Department and Andy Magee, lead Selectman, presented the relocation plan. Safety of the layout and the taking of several trees became concerns in the original plan, so staff reevaluated the project. The Water District will vote Wednesday night and it is anticipated that they will be in agreement with the new plan. It relocates the road along Conant's property. Selectman Magee made a motion to accept the new easement, Selectwoman Rosenzweig seconded. Selectman Berry stated the motion will go to Town Meeting with the vote of being accepted by the Selectmen. Brian Bendig requested the time and place of water district vote in regards to this layout. He would like the Board to not vote in favor of the sidewalk. It is his belief that it is not possible in the fight for dollars this year to justify this vote. He has not seen any pricing or project development for the project to lay asphalt. It is a very wet area, has anyone analyzed this problem. Selectman Magee has no plans for bridge work. Mr. Bendig feels there will be a necessity to have bridge work over the 2 existing streams and is concerned about the possibility of a guard rail at the crosswalk. Ultimately we need to find a less expensive way to do this with out possible ruin of the historic value of the area. Selectman Magee stated the wetlands have been mapped. There is funding from a fund set up by Quail Ridge for the sidewalk project. The Selectmen pointed out that the North of town is totally cut off from walkers and bikers. Improvements to Brook Street are under discussion to be accomplished at the same time. Selectwoman Knibbe reminded citizens that this sidewalk does not affect next year's monies; it has all been allocated for this current year spending. Kimberly Hughes a citizen had concerns on how will it impact Davis Trail at Main Street. It is the second most important historic landmark in Acton. Selectman Magee stated that section will not require grade changing or tree removal with in 100 feet and the sidewalk will be somewhat hidden at that point. It is private property. Contractually, 4th of July and April 19th Brewster Conant must allow people on his property. It is being paved across Davis Trail according to town council this is acceptable. It does need to be handicap accessible so that limits what the walk can be made out of. Tom Peterman, questioned why this is a priority for the Town. Mr. Monahan, of 14 Arlington Street, asked what the cost to the town is. Chairman Hunter replied it has to be bid we do not have a cost. We are trying to

position ourselves so we can build it; if technically we can't then we will have to re-visit it. The proposal is simply for the easement not to actually build the walk. The Selectmen could possibly put it on the warrant as a capital expense. Selectman Magee stated that Town Meeting has already voted this as a capital project. Corey York stated the original Quail Ridge grant was \$60K towards the funding of Main Street sidewalks. Citizens spoke of their appreciation of Selectmen Magee's work in the new layout plan others mentioned their concerns of taking away from the historic nature of the area. The Selectman voted all in favor of the new layout and relocation.

ORDER OF STREET TAKING, PARKER STREET AT HIGH STREET

The owner at 185 Parker has given an easement to the Town to relocate the street. The stone wall at the end of the property will also need to be adjusted. Selectman Magee stated that cars appear to travel faster when improvements are made. Additionally this road is used as a cut through road. Could we have Engineering look into incorporating a four way stop? Selectman Rosenzweig made a motion to approve Selectman Magee seconds, all voted to approve.

ELM ASSOCIATES, D/B/A COLONIAL SPIRITS, 87 GREAT ROAD, TRANSFER OF STOCK

Steve Steinberg has owned the store together with Ed Morrill for several years. Mr. Morrill has decided to transfer his remaining 50% share of the company by transfer of stock. The license will continue to be listed as Elm Associates, Inc. dba Colonial Spirits. Selectwoman Rosenzweig noted the major concern with Liquor Licenses is avoiding tragedy by not selling to underage or inebriated customers. All his employees take training courses on serving. They also have a stamp to validate a license has not been tampered with and they have officers on the busiest nights if they are available. They take the problems involved with selling alcohol very seriously. Selectman Magee made a motion to accept the transfer of ownership to Mr. Steinberg; it was seconded by Selectwoman Rosenzweig. All voted in favor of approval of the transfer.

NSTAR AND VERIZON OF NEW ENGLAND, INSTALLATION OF ONE NEW POLE AT QUARRY ROAD

Selectman Magee moved to approve the pole installation at Quarry Road and Selectwoman Rosenzweig seconded the motion.

COMMON VICTUALLER LICENSE, PEKING TOKYO ASIAN RESTAURANT, 124 MAIN STREET, LISA YEE APPLICANT

Lisa Yee's husband came to speak for his wife. The hours of operation will be Wednesday through Monday 11A.M.-9:30P.M. Tuesday they anticipate being closed. The restaurant will be for take-out, they are licensed to sell food only. The Chairman noted the Health Department will be meeting on a steady basis help monitor the new undertaking. Selectman Berry wanted to be certain if there were any new plans for signage that it will be correctly approved as the store is in the historic district. Selectman Magee moves to approve and Selectwoman Rosenzweig seconds, the common victual license is approved.

COMMON VICTUALLER LICENSE, TO BE DETERMINED, INC, D/B/A SPRIGS, 5 STRAWBERRY HILL ROAD, MARTHA SERVEY, MANAGER

Martha Servey was present for questions concerning her Common Victualler License. She will be the new manager and would envision keeping the same historic feel to the restaurant. (No approval from Health Dept in packet) The granting of that license will be

pending approval from the Health Staff. Selectman Magee made a motion to approve contingent upon approval of the Health Department. Friendly amendment made by Lauren Rosenzweig that approval is needed by building also. The motion was so amended, all voted in favor of approval once the appropriate filings by Health and Building are completed.

7:55 TRANSFER OF A FULL ALCOHOLIC BEVERAGES AS A COMMON VICTUALLER, FROM CLAQUER DU BEC, D/B/A #5 STRAWBERRY HILL ROAD TO, TO BE DETERMINED, INC. D/B/A SPRIGS, 5 STRAWBERRY HILL ROAD, MARTHA SERVEY, MANAGER

Martha Servey has worked in many restaurant/bars. She has consistently has updated her TIPS certification. The Chairman stated the restaurant's current Liquor Policy is a good one. All employees receive training within the first 60 days. She finds it helpful that guests can now bring home wine, there is no need to drink it fast. Selectman Magee moves to approve the transfer of the alcohol license and Selectman Rosenzweig seconds all voted to approve the transfer of the full liquor license.

8:15 COMMUNITY SERVICES COORDINATOR

Tina Grosowsky and Paul Henrion gave a presentation encouraging the Board of Selectmen to fund a Community Service Coordinator. The question to answer is "What is a healthy community". They drafted job description and drafted a proposal after completing the research that the Board previously requested. Acton has various agencies that provide help such as the Police Department, United Way, the Health Department, Nursing, counselors at the high school and the Council on Aging. The problem is they each only deal with a small segment of the population and are unaware of other services that they could possibly direct citizens to. Many of these groups are unavailable for help in the hours they might be needed most. The citizens sometimes are unaware of any of the services. Volunteers are not able to deal with the family and associated problems that arise in a family with needs. Outsourcing has the problem of turnover and unfamiliarity with issues as each new person comes on shift. They feel that it becomes extremely important to have a senior person, someone who knows how the town offers help and can address a large range of issues and seek help and grants both town and state wide. Selectman Berry was moved by the completeness of the presentation but this is a tough year to have to fund this. Selectman Magee strongly supports the request personally but the economy is awful. This makes these services even more necessary. Selectman Rosenzweig is very impressed with the thoroughness of the work. Acton definitely has a need and she strongly supports this new position, this is crisis prevention. Selectman Knibbe expressed how impressive the presentation is, clarifying that the coordinator helps clients with initial counseling and referrals helping people access services. She would like to see added to the discussion where will this go and what will it cost to fund the department now and in 5 years. The Chairman advised the group to present at the pre-town meeting and let the citizens decide. Selectman Magee stated we have to speak to citizens at town meeting. Physically where do we put this person? Tina requested permission to do some publicity. Absolutely, you are free to do anything to get out the message.

8:45 PETER GOMEZ, EAGLE SCOUT PROJECT TO BENEFIT THE HOME GOODS RECYCLING MINISTRY

Peter presented his Eagle Scout project. He is a life scout. He volunteers at HGRM and as part of that process asked what the managers of HGRM would like if he could concentrate his Eagle Scout project on their program. They answered that they would like some form of

advertising for their Recycling Ministry. There will be no pick up or drop off, just the sign to advertise their needs for recycled goods. The Chair would like to give permission based on advice of staff. Selectman Magee is very much in support of the recycling effort. Selectwoman Rosenzweig moves to approve subject to conditions satisfactory to staff and Selectman Magee seconds. All vote their approval. Peter requested a letter to be signed by the Chairman.

8:55 PETER ASHTON OPEN SPACE AND RECREATION SURVEY PRESENTATION

Mr. Ashton wanted to present the survey results to coincide with the plans of the visioning survey now being collected by the Community Comprehensive Committee. The open Space and Recreation survey results are similar to the one done seven/eight years ago. 1200 responses came in with updated information and it was all done by volunteers. Results are remarkably consistent to the survey done several years ago. There was a new interest in conservation restrictions, which showed a change from the last survey. The results of the study will direct how conservation and recreation plan to move forward. Protection is major concern as is congestion and traffic. Selectwoman Rosenzweig is very pleased to look to it for reference with the Comprehensive Community Plan. The Open Space Committee additionally is prioritizing land that would be important to save. Selectman Knibbe asked what was learned in terms of sidewalks. The survey shows it is probably the 4th most common complaint. Conservation restriction could lower your taxes.

III. SELECTMEN'S BUSINESS

TOWN MEETING/ALG DISCUSSION

The Chair updated the board on his meeting on Sunday with Fincom Chair Pat Clifford and Vice Chair Steve Noone. Selectwoman Rosenzweig added extensive cuts have been made due to the economy. The Town Manager reported that in the ambulance revolving fund only 1% of the amount raised by taxation can be expended in the Revolving fund. Remedy is to take \$230K and then borrow the delta. The Chairman read the motion written by John Murray.

_____ moves that the Board of Selectmen rescind all prior votes concerning the Fire Department's ladder truck and authorize a request for an appropriation of \$800,000 for the replacement of the Fire Department's ladder truck and to fund such purchase by transferring \$ 229,978 from the Ambulance Revolving Account and borrowing \$570,022 and to fund the first year' debt service on said borrowing by transferring \$60,000 from the Ambulance Revolving Account.

The Town Manager will advise Pat Clifford Chair of the Finance Committee of the vote. Selectwoman Rosenzweig made the motion to approve the language of the motion and Selectman Magee seconded the motion, all voted in favor. Selectman Magee spoke to being in favor of the additional police officer. The Board of Selectmen will open their public meeting an hour before the start of Town Meeting and keep open until the end of town meeting. Can Selectmen ask staff to help with presentations through the Town Manager? Send information to Steve Ledoux and he will connect with the appropriate staff.

DRAFT POLICY, WEB POSTING

The Selectmen posting on the web is simply a Board clarification as opposed to a free dialog, which is what is being requested. Selectwoman Knibbe needs to like to respond immediately at times and that response time might be lost if it is restricted until the Board hold a meeting to vote. The Town Manager suggests "Frequently asked Questions" would be a good place to direct citizens to get information. Selectman Magee suggested a few changes in the wording. Selectman Berry stated that ethically the Selectmen cannot push a position on the web. Selectman Magee added if you write a letter to the Beacon you need to state that your comments are as a citizen not as a Selectman. That does not

preclude the Selectmen from meeting and taking a vote to send a letter to the Beacon representing their collective opinion. Selectman Magee made the motion to approve the Web Posting Policy with amended wording, Selectwoman Rosenzweig seconded and all approved.

Draft Policy Web Posting

The Town of Acton's web site (www.acton-ma.gov) exists to present information to the public regarding the operation and services of Town government. Information prepared by individual Board of Selectmen members will not be posted on the site unless such information has been formally adopted as a message or policy statement from the Board of Selectmen on the subject matter at hand. Other information will be published subject to Town Manager's approval.

ACTON HOUSING AUTHORITY, LIP APPLICATION, SOMERSET HILLS CONDOMINIUMS

The Town is working in partnership with the developer. Kelley A. Cronin of Housing Authority stated the Selectmen have already given approval for the project in 2005. The Selectmen today are being asked to accept the three condominiums as part of the Local Action Units for the Town. Selectmen Rosenzweig moved to approve and Selectman Magee seconded, all approved the acceptance of the LIP Units.

ACTON COMMUNITY HOUSING CORPORATION, REQUEST FOR EXPENDITURE OF FUNDS FOR ACTON HOUSING AUTHORITY UNIT PURCHASE, SOMERSET HILLS CONDOMINIUMS

The Board has authorized the use of \$115,000. of Community Preservation funds for ACHC to purchase a two-bedroom condominium to add to the Town's subsidized housing inventory. The offer at Briarbrook Village was rejected. Therefore the Corporation now requests to use those same funds for a unit at Somerset Hills on Wampus Avenue. The Board approved the request.

OTHER BUSINESS

Selectwoman Rosenzweig announced the March 29 Visioning workshop.

Selectman Magee reported on the WRAC meeting that he and Selectwoman Rosenzweig attended regarding the Tuttle and West Acton neighborhoods. The betterments are extremely high. The neighborhood wants to continue looking into and expansion to include denser areas to see if that lowers the costs. The consultant introduced newer technology. Larger pump and allows more houses in the system. The Selectman promised to look into alternative options. They will be doing a public education outreach on what can go into sewers.

Selectmen Berry announced to the public that there is a \$157K reduction in the Town's Health Insurance budget. He announced that the Cable Committee is looking into renewing licenses and alternative licensing options.

Selectman Knibbe has been pleased with very successful sidewalk meetings.

IV. TOWN MANAGER'S REPORT

The Town Manager has a meeting with Tim Kelly, Public Relations of Comcast. Selectmen Berry and Rosenzweig will meet with the Steve Ledoux and Concord leaders to discuss the Alexan project. Selectman Magee moves to go into Executive Session for purpose of discussing litigation. A roll call vote was taken, all ayes.

V. CONSENT AGENDA

Chairman Hunter read the consent items including those from Extra Information, which included:

Bill Klauer, appointment for Cemetery Commission, Michael Fisher appointment for Associate Member of the Transportation Advisory Committee and Ann Chang for an appointment to the Economic Development Committee.

Selectman Magee moved to approve, Selectman Rosenzweig seconded, all voted in favor and all consent items passed.

17. HABITAT FOR HUMANITY DEED AMENDMENT REQUEST

Passed Habitat for Humanity deed amendment request to set the affordability limit of the property at 55% of the area median income.

18. REQUEST FROM OUTDOOR LIGHTING EDUCATION COMMITTEE FOR A TOWN WIDE STAR SEARCH WATCH MAY 2, 2008

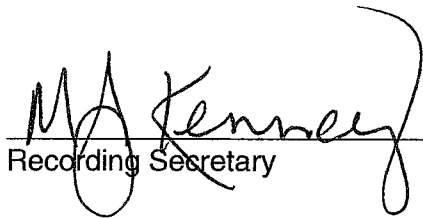
Passed request for Outdoor Lighting Education Committee Star Search Watch

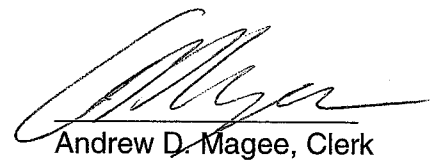
19. DISPOSAL OF OBSOLETE MATERIALS, MEMORIAL LIBRARY

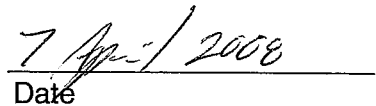
Passed disposal of obsolete materials from Memorial Library.

VI. EXECUTIVE SESSION

There will be a need for an Executive Session


Recording Secretary


Andrew D. Magee, Clerk


Date